

BAKER, DONELSON, BEARMAN,
CALDWELL & BERKOWITZ, PC

J. David Folds (*pro hac vice* pending)
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Attorneys for HART Miracle Marketplace, LLC

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY (NEWARK)

IN RE:)	Chapter 11
)	Case No. 23-13359-VFP
Bed Bath & Beyond, Inc., <i>et al.</i> ¹ ,)	<i>Jointly Administered</i>
)	
)	
DEBTOR.)	
_____)	

APPLICATION FOR *PRO HAC VICE* ADMISSION OF J. DAVID FOLDS

Pursuant to Rule 9010-1 of the Local Rules of the United States Bankruptcy Court for the District of New Jersey (“L.B.R.”), Rule 101.1 of the Local Civil Rules for the United States District Court for the District of New Jersey, Federal Rules of Civil Procedure 78, and the attached certification, the undersigned hereby moves for the admission *pro hac vice* of J. David Folds, Esquire of the law firm Baker, Donelson, Bearman, Caldwell & Berkowitz, P.C., to represent

¹ The last four digits of Debtor Bed Bath & Beyond Inc.’s tax identification number are 0488. A complete list of the Debtors in these chapter 11 cases and each such Debtor’s tax identification number may be obtained on the website of the Debtors’ proposed claims and noticing agent at <https://restructuring.ra.kroll.com/bbby>. The location of Debtor Bed Bath & Beyond Inc.’s principal place of business and the Debtors’ service address in these chapter 11 cases is 650 Liberty Avenue, Union, New Jersey 07083.

HART Miracle Marketplace, LLC before this Court in connection with the above-captioned chapter 11 cases.

In support of this Application, the undersigned submits the attached Certification of J. David Folds, Esq. and requests that the proposed form of order submitted herewith be entered. The undersigned certifies that he is admitted, practicing, and a member in good standing with the Bar of the State of New Jersey and is admitted to practice before the United States District Court for the District of New Jersey.

Dated: July 14, 2023

BAKER, DONELSON, BEARMAN,
CALDWELL & BERKOWITZ, PC

By: //s/ Kenneth M. Klemm
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**CERTIFICATION OF J. DAVID FOLDS IN SUPPORT OF
APPLICATION FOR *PRO HAC VICE* ADMISSION**

I, J. David Folds, Esq., hereby certify and state as follows:

1. I am a Shareholder of the law firm Baker, Donelson, Bearman, Caldwell & Berkowitz, P.C. I maintain my regular office for practice of law at 901 K Street NW; Suite 900; Washington, D.C. 20001.
2. I am a member in good standing of the bars of the State of North Carolina (admitted in 1993), the District of Columbia (admitted in 1996) and the Commonwealth of Virginia (admitted in 1999) and am duly licensed and admitted to practice in the United States District Courts for the Eastern and Western Districts of Virginia, the District of Columbia, and the District of Maryland.

3. No disciplinary proceedings are pending against me in any jurisdiction. No discipline has previously been imposed on me in any jurisdiction. I have never been suspended or disbarred from the practice of law.
4. I have obtained a copy of the Local Bankruptcy Rules and am generally familiar with such Rules. I will comply with all court and ethical rules governing the practice of law before this Court.
5. Upon being admitted to appear and participate in this case *pro hac vice*, I shall promptly cause payment to be made to the Clerk of the Court in the amount of \$150.00 pursuant to Rule 101.1(c)(3) of the Local Civil Rules of the United States District Court for the District of New Jersey (“D.N.J. L.R.”).
6. I have been advised of my obligation to make payments of an annual fee to the New Jersey Lawyers Fund for Client Protection in accordance with the New Jersey Court Rule 1:28 and shall immediately comply with the requirement upon my admission *pro hac vice*

WHEREFORE, it is respectfully requested that this Court grant my request for admission *pro hac vice* to appear and participate in the above-captioned matter

Dated: July 14, 2023

By: /s/ J. David Folds
J. David Folds (*pro hac vice* pending)
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Attorneys for HART Miracle Marketplace, LLC

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY (NEWARK)

IN RE:)	Chapter 11
)	Case No. 23-13359-VFP
Bed Bath & Beyond, Inc., <i>et al.</i> ² ,)	<i>Jointly Administered</i>
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DEBTOR.)	
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ORDER FOR ADMISSION *PRO HAC VICE* OF J. DAVID FOLDS, ESQ.

THIS MATTER having been brought before the Court on application for an Order For Admission *Pro Hac Vice*; and the Court having reviewed the moving papers of the applicant, out-of-state attorney, and considered this matter pursuant to Fed.R.Civ.Proc.78, D.N.J. L.Civ.R.101.1 and D.N.J. LBR 9010-1, and good cause having been shown; it is

² The last four digits of Debtor Bed Bath & Beyond Inc.'s tax identification number are 0488. A complete list of the Debtors in these chapter 11 cases and each such Debtor's tax identification number may be obtained on the website of the Debtors' proposed claims and noticing agent at <https://restructuring.ra.kroll.com/bbby>. The location of Debtor Bed Bath & Beyond Inc.'s principal place of business and the Debtors' service address in these chapter 11 cases is 650 Liberty Avenue, Union, New Jersey 07083.

ORDERED that J. David Folds be permitted to appear *pro hac vice*; provided that pursuant to D.N.J. L.Civ. R. 101.1(c)(4), an appearance as counsel of record shall be filed promptly by a member of the bar of this Court upon whom all notices, orders and pleadings may be served, and who shall promptly notify the out-of-state attorney of their receipt. Only an attorney at law of this Court may file papers, enter appearances for parties, sign stipulations, or sign and receive payments on judgments, decrees or orders, and it is further

ORDERED that the applicant shall arrange with the New Jersey Lawyers' Fund for Client Protection for payment of the annual fee, for this year and for any year in which the out-of-state attorney continues to represent a client in a matter pending in this Court in accordance with New Jersey Court Rule 1:28-2 and D.N.J. L. Civ. R. 101.1, said fee to be deposited within twenty (20) days of the date of the entry of this Order, and it is further

ORDERED that the \$150.00 fee required by D.N.J. L. Civ. R. 101(c)(3) for *pro hac vice* admission to the District Court for the District of New Jersey shall also be payable within twenty (20) days of entry of this Order. Payment in the form of a check must be payable to "Clerk, USDC" and forwarded to the Clerk of the United States District Court for the District of New Jersey at the following address:

United States District Court
District of New Jersey
Martin Luther King, Jr. Federal Building
50 Walnut Street
Newark, N.J. 07102
Attention: Pro Hac Vice Admissions

and it is further ORDERED that the applicant shall be bound by the Local Rules of the United States District Court for the District of New Jersey and the Local Rules of Bankruptcy Procedure for the District of New Jersey; and it is further

ORDERED that the Clerk shall forward a copy of this Order to the Treasurer of New Jersey Lawyers' Fund for Client Protection within 5 days of its date of entry.

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY (NEWARK)

IN RE:) Chapter 11
) Case No. 23-13359-VFP
Bed Bath & Beyond, Inc., *et al.*,)
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DEBTOR.)
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CERTIFICATE OF SERVICE

I do hereby certify that I have served the parties in this action listed below with a copy of the pleading(s) hereinbelow specified by mailing a copy of the same today by United States Mail, postage prepaid, to the following address(es):

Pleadings: Application for Admission *Pro Hac Vice* of J. David Folds

Parties Served: Bed Bath & Beyond Inc.
650 Liberty Avenue,
Union, New Jersey 07083

Michael D. Sirota
Cole Schotz P.C.
Via cm/ecf

Warren A. Usatine
Cole Schotz P.C.
Via cm/ecf

Felice R. Yudkin
Cole Schotz P.C.
Via cm/ecf

US Trustee's Office
Via cm/ecf

DATE OF SERVICE: July 14, 2023

BAKER, DONELSON, BEARMAN,
CALDWELL & BERKOWITZ, PC

By: /s/Savannah E. Lavender